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8           **IN THE UNITED STATES DISTRICT COURT**

9           **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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11           CALIFORNIA SERVICE EMPLOYEES  
12           HEALTH & WELFARE TRUST FUND,  
13           et al.,

14           Plaintiffs,

15           v.

16           A & B MAINTENANCE, INC.,

17           Defendant.

18           )           **NO.: CO7-4945 TEH**

19           )           **The Honorable Thelton E. Henderson**

20           )           **DEFENDANT A&B MAINTENANCE,  
21           )           INC.'S NOTICE OF DISMISSAL OF  
22           )           COUNTERCLAIM**

23           AND RELATED COUNTERCLAIM

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26           **TO PLAINTIFFS AND ITS ATTORNEYS OF RECORD:**

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1 PLEASE TAKE NOTICE that Defendant A&B MAINTENANCE, INC. is  
2 voluntarily dismissing, without prejudice, its counterclaim against Plaintiffs  
3 CALIFORNIA SERVICE EMPLOYEES HEALTH & WELFARE TRUST FUND,  
4 MIKE GARCIA, Trustee, CHARLES GILCHRIST, Trustee, RAYMOND C. NANN,  
5 Trustee and LARRY T. SMITH, Trustee, filed concurrently with Defendant's answer to  
6 the Complaint on February 20, 2008.  
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9 Said Notice of Dismissal is submitted pursuant to Federal Rules of Civil  
10 Procedure, Rule 41(a)(1)(A)(i).  
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12 Dated: March 12, 2008

**MARTIN & MARTIN, LLP**

15 By: \_\_\_\_\_  
16 Areva D. Martin, Esq.  
17 Rosa M. Kwong, Esq.  
18 Attorneys for Defendant and  
19 Counterclaimant  
20 A&B MAINTENANCE, INC.

